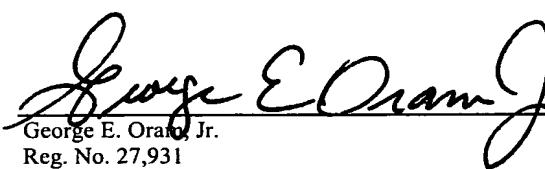


FORM PTO-1390 (REV 5-93)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY DOCKET NO. 023349-00298
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		DATE: November 5, 2004
		US PPLN NO. 10/751207 13 Nov 2004 New Application
INTERNATIONAL APPLICATION NO. PCT/IB2004/000396	INTERNATIONAL FILING DATE February 5, 2004	PRIORITY DATE CLAIMED February 13, 2003
TITLE OF INVENTION: A CAPSULE TO BE USED TO PREPARE AN INFUSED BEVERAGE		
APPLICANT(S) FOR DO/EO/US: Fabio FRANCESCHI (Mordano, Italy)		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input type="checkbox"/> The U.S. has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed [35 U.S.C. 371(c)(2)]             <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> An English language translation of the International Application into English [35 U.S.C. 371(c)(2)].             <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].</li> <li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].</li> </ol>		
<b>Items 11 to 20 below concern other document(s) or information included:</b> <ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98; and PTO-1449 Form &amp; 4 refs.</li> <li>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A preliminary amendment.</li> <li>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information: Drawings Figs. 1-6 (2 sheets); Form PCT/IB/308; Form PCT/IB/304; Form PCT/IB/301; Form PCT/RO/101; Form PCT/IB/311; Form PCT/ISA/237; Form PCT/ISA/210 &amp; copy of International Application No. WO 2004/071899 A1.</li> </ol>		

U.S. APPLN. NO. (IF KNOWN, SEE 37 C.F.R. 1.50) New Application <b>10/512078</b>		INTERNATIONAL APPLICATION NO. PCT/IB2004/000396		ATTORNEY DOCKET NO. 023349-00298											
				DATE: November 5, 2004											
<p>17. <input checked="" type="checkbox"/> The following fees are submitted:</p> <p><b>Basic National Fee [37 C.F.R. 1.492(a)(1)-(5)]:</b></p> <table> <tr> <td>Search Report has been prepared by the EPO or JPO.....</td> <td>\$950.00</td> </tr> <tr> <td>International preliminary examination fee paid to USPTO (37 C.F.R. 1.482).....</td> <td>\$750.00</td> </tr> <tr> <td>No international preliminary examination fee paid to USPTO (37 C.F.R. 1.482) but international search fee paid to USPTO [37 C.F.R. 1.445(a)(2)].....</td> <td>\$790.00</td> </tr> <tr> <td>Neither international preliminary examination fee (37 C.F.R. 1.482) or international search fee [37 C.F.R. 1.445(a)(2)] paid to USPTO.....</td> <td>\$1,100.00</td> </tr> <tr> <td>International preliminary examination fee paid to USPTO (37 C.F.R. 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4).....</td> <td>100.00</td> </tr> </table>				Search Report has been prepared by the EPO or JPO.....	\$950.00	International preliminary examination fee paid to USPTO (37 C.F.R. 1.482).....	\$750.00	No international preliminary examination fee paid to USPTO (37 C.F.R. 1.482) but international search fee paid to USPTO [37 C.F.R. 1.445(a)(2)].....	\$790.00	Neither international preliminary examination fee (37 C.F.R. 1.482) or international search fee [37 C.F.R. 1.445(a)(2)] paid to USPTO.....	\$1,100.00	International preliminary examination fee paid to USPTO (37 C.F.R. 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4).....	100.00	CALCULATIONS	PTO USE ONLY
Search Report has been prepared by the EPO or JPO.....	\$950.00														
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<p><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></p> <p>Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date [37 C.F.R. 1.492(e)].</p>				\$ 950.00											
Claims	Number Filed	Number Extra	Rate												
Total Claims	66 - 20 =	46	X \$ 18.00	\$ 828.00											
Independent Claims	1 - 3 =	0	X \$ 88.00	\$ 0.00											
Multiple dependent claim(s) (if applicable)			+ \$300.00	\$ 300.00											
<p><b>TOTAL OF ABOVE CALCULATIONS =</b></p> <p>Reduction by one-half for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 C.F.R. 1.9, 1.27, 1.28).</p>				\$ 2,078.00											
<p><b>SUBTOTAL =</b></p> <p>Processing fee of \$130.00 for furnishing the English translation later the <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date [37 C.F.R. 1.492(f)]. +</p>				\$ 2,078.00											
<p><b>TOTAL NATIONAL FEE =</b></p> <p>Fee for recording the enclosed assignment [37 C.F.R. 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). +</p>				\$ 2,078.00											
<p><b>TOTAL FEES ENCLOSED =</b></p>				\$ 2,118.00											
				Amount to be refunded	\$										
				Charged	\$										
<p>a. <input checked="" type="checkbox"/> Check # <b>413495</b> in the amount of \$2,118.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. 01-2300 in the amount of \$ _____ to cover the above fee. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 01-2300.</p>															
<p>NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p>															
<p>SEND ALL CORRESPONDENCE TO: Customer No. 004372 AREN'T FOX PLLC 1050 Connecticut Avenue, N.W. Suite 400 Washington, D.C. 20036-5339 Tel: (202) 857-6000 Fax: (202) 638-4810</p>															
<p> George E. Oram, Jr. Reg. No. 27,931</p>															
<p>GEO/rkc</p>															